

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff

v.

(3) DOLORES DRAPER MADDOX,
Defendant

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Case No. 1:22-CR-00211-LY-3

Order on Defendant's Motion to Modify Conditions of Pretrial Release

Now before the Court is Defendant's Agreed Motion to Modify Conditions of Pretrial Release, filed December 7, 2022. Dkt. 97. The District Court referred the Motion to the undersigned Magistrate Judge for resolution on December 13, 2022. Dkt. 98. On December 15, 2022, the United States Pretrial Services Office submitted the Petition for Action on Conditions of Pretrial Release ("Petition") attached to this Order.

On October 4, 2022, Defendant Dolores Draper Maddox was indicted on one count of Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(B). Dkt. 1. She has been on pretrial release since October 17, 2022. Dkt. 77. Docket call is set for March 3, 2023. Dkt. 96.

Condition 7(o) of Defendant's conditions of release require her to participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer. Dkt. 77 at 2. Condition 7(t) requires Defendant to: "Participate in inpatient substance abuse treatment at Christian Farms Treehouse, Temple, Texas, and remain until successfully discharged." *Id.* at 3.

As explained in the Petition, on Monday, November 28, 2022, Defendant began a 30-day inpatient substance abuse treatment program at Christian Farms Treehouse, as required by her

conditions of release. Less than a week later, at approximately 2 p.m. on Sunday, December 4, 2022, facility staff transported Defendant to a hospital in Temple because she was having chest pain. Petition at 1. Defendant then asked a third party to transport her to another hospital in Austin, Texas, which discharged her at approximately 12:30 a.m. on Monday, December 5, 2022. *Id.* Defendant did not contact Christian Farms Treehouse until 9:30 a.m. that day and did not return to the facility until approximately 2:30 p.m. *Id.* She was unsuccessfully discharged from inpatient treatment the same afternoon. *Id.* On December 6, 2022, Pretrial Services referred Defendant to outpatient co-occurring treatment for mental health and substance abuse. *Id.*

Defendant now asks that she be allowed to engage in substance abuse treatment on an outpatient basis, rather than an inpatient basis, for medical reasons. Dkt. 97. The Government does not object to her request. *Id.*

Finding good cause therefor, the Court **ORDERS** that Defendant's Conditions of Release are hereby **AMENDED** to remove Condition 7(t). The Court further **ORDERS** that, pursuant to Condition 7(o), Defendant must participate in a program of outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer. All other conditions of release remain as previously ordered.

Defendant is admonished that she must obey all conditions of release and follow the instructions of the pretrial services office and her supervising officer. The Court reminds Defendant that violating any conditions of her release may result in the immediate issuance of a warrant for her arrest, a revocation of her release, an order of detention, and a prosecution for contempt of court and could result in imprisonment, a fine, or both. *See* Dkt. 77 at 4.

SIGNED on December 19, 2022.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE

PS 8
(Rev. 4.2020)

UNITED STATES DISTRICT COURT

for
WESTERN DISTRICT OF TEXAS

U.S.A. vs. Dolores Draper Maddox

Docket No. 1:22-CR-00211-LY-3

Petition for Action on Conditions of Pretrial Release

COMES NOW Daniel Palomares, pretrial services/probation officer, presenting an official report upon the conduct of defendant Dolores Draper Maddox, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge, Susan Hightower, sitting in the court at Austin, Texas on the 17th date of October, 2022 under the following conditions:

See Appearance Bond and Order Setting Conditions of Release dated October 17, 2022.

Condition #7(o): The defendant must participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

Conditions #7(t): Participate in inpatient substance abuse treatment at Christian Farms Treehouse, Temple, Texas, and remain until successfully discharged.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 28, 2022, the defendant began a 30-day inpatient substance abuse treatment program at Christian Farms Treehouse in Temple, Texas, as required by her conditions of release.

On December 4, 2022, at approximately 2:00 p.m. the defendant was transported by Christian Farms Treehouse facility staff to Baylor Scott & White hospital in Temple, Texas, due to having chest pain. The defendant called her estranged husband from Baylor Scott & White for transport to a different hospital, despite having started testing and treatment. The defendant expressed feelings of panic and fear for her safety and health as her motivation to contact an additional ride. According to Christian Farms Treehouse staff, the defendant did not contact Christian Farms Treehouse to advise of her location and status. The defendant departed Baylor Scott & White by car with her estranged husband and traveled to Ascension Seton Northwest Hospital in Austin, Texas. The defendant was discharged at approximately 12:30 a.m. on December 5, 2022. The defendant did not contact Christian Farms Treehouse, nor did she return to the property, making first contact with Christian Farms Treehouse via voicemail at 9:30 a.m. The defendant communicated with the executive director at Christian Farms Treehouse at approximately 11:30 a.m.. She advised she was completing tasks such as obtaining a Medical Access Program (MAP) card and setting up appointments. She further advised she would return to Christian Farms Treehouse in three hours. The defendant returned to Christian Farms Treehouse on December 5, 2022 at approximately 2:30 p.m.

On December 5, 2022, at 4:15 p.m. the defendant was unsuccessfully discharged from inpatient substance abuse treatment at Christian Farms Treehouse in Temple, Texas.

As a result, on December 6, 2022, Pretrial Services referred the defendant to outpatient co-occurring treatment for mental health and substance abuse treatment with Kearley & Schmitt in Austin, Texas.

PS 8
(Rev. 12/04)

Page 2

Dolores Draper Maddox
Case #1:22CR00211-LY-3

Pretrial Services recommends the defendant be summoned to appear in Court.

Assistant United States Attorney, Mark Marshall has been informed of the violation and concurs with the recommendation of Pretrial Services.

The defendant is scheduled to appear before U.S. District Judge, Lee Yeakel on March 3, 2023 at 9:30 a.m. for docket call.

PRAYING THAT THE COURT WILL summon the defendant to appear before this Court to show cause as to why her bond should not be revoked.

ORDER OF COURT

Considered and ordered this _____ day of _____, _____ and ordered filed _____ and made a part of the records in the above case.

U.S. District Judge/Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/15/2022



U.S. Pretrial Services Officer

Phone Number

+1 (512) 839-0675



Supervisory

U.S. Pretrial Services Officer

Phone Number

+1 (210) 818-7861

Place

U.S. Pretrial Services
501 W. 5th Street, Suite 3200
Austin, Texas 78701